

Application No. 10/602,870

REMARKS / ARGUMENTS

Claims 1-14 and 16 remain pending. Claims 1 and 10 have been amended.

The examiner rejected claims 1 – 14 and 16 as being unpatentable over Shimizu et al (JP 7-108902 A) in view of Fink (US 5,820,162). Applicant's amendments to independent claims 1 and 10 incorporating the concept that the entire airbag module is reusable and includes a cartridge type replaceable inflator in combination with a repackable airbag and the cold gas filled inflator which will not burn the airbag upon inflation. These features are neither taught nor suggested in the cited primary reference. The secondary reference is directed to solving the problem of temperature sensitivity to environmental conditions in cold gas inflators and it neither teaches nor suggests a replaceable cartridge type inflator.

Applicant's amendment of claims 1 and 10 is fully supported by the description at paragraph 24 and elsewhere. The amended claims insure that no burnable or hot gases are used which would not allow reuse of the airbag. Neither of the prior art cited publications contemplate reuse of the airbag. Applicant's airbag is repackable after deployment due to the use of a cold gas filled inflator. The examiner's position that the airbag of Shimizu et al could be folded up and stuffed back into the housing misses the point that neither Shimizu et al nor Fink ever discuss or contemplate reusability as a claimed or discussed design feature. Accordingly the combination of the two references appears to be done in hindsight, wherein if so combined in view of applicant's claims, then the examiner believes the same result could potentially be achieved. This is clearly improper and thus fails to make a prima face case of obviousness. Fink is not concerned with, nor even mentions, his device being replaceable in a cartridge like fashion, nor does Shimizu et al seem concerned about reusing or repacking the airbag. Nonetheless it is the examiner's contention combining two such references, neither mentioning reusability, somehow results in a reusable system. None of the cited references teach or suggest reusable airbags in combination with cold gas inflation. Accordingly applicant respectfully requests withdrawal of this

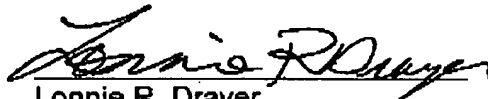
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final rejection.

For the reasons stated above applicant urges the examiner to allow the application to pass to issuance.

Respectfully submitted,



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